

In re WILLIAMS ET AL., Application No. 09/894,199
Amendment A

REMARKS

In response to the non-final Office action mailed March 30, 2005, please enter the amendments and consider remarks presented herein. Reconsideration and/or further prosecution of the application is respectfully requested. No new matter is added herein.

Applicants appreciate the thoughtful examination of the application, for informing Applicants that claims 1-15 and 18-33 are allowed, and for returning the signed and dated 1449 indicating the Office's consideration of the cited references.

As this case has been pending for over four years, Applicants have elected to "take the allowed claims," and allow the case to pass to issuance. However, Applicants traverse all the rejections presented in the Office action for at least the reasons presented herein after the discussion of the amendments to the claims.

Applicants have amended some of the claims in order to put them in the drafting attorney's currently preferred format for issuance, including re-writing originally filed dependent Beauregard type claims 9 and 15 into independent claims. Each of these amendments are discussed hereinafter.

In terms of the allowed original claim set of claims 1-9: claims 2, 5 and 6 are each amended to add a colon after "comprising"; claims 3, 4, and 6 are each amended to add "said" before the corresponding phrase; and dependent claim 9 (depending directly from original independent claim 1) is canceled and re-written in independent form as new independent claim 34, with new dependent claims 35-41 respectively corresponding to allowed dependent claims 2-8. Support for these preferential changes are provided at least by originally filed claims 1-9. For at least the reasons that the Office indicated that original claims 1-9 were allowable, pending claims 1-8 and 34-41 are believed to be allowable.

In terms of the allowed original claim set of claims 10-15: dependent claim 15 (depending directly from original independent claim 10) is canceled and re-written in independent form as new independent claim 42, with new dependent claims 43-46 respectively corresponding to allowed dependent claims 11-14. Support for these preferential changes are

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provided at least by originally filed claims 10-15. For at least the reasons that the Office indicated that original claims 10-15 were allowable, pending claims 10-14 and 42-46 are believed to be allowable.

Claims 16-17 are canceled without prejudice to free up claim fees for the claims added herein.

In terms of the allowed original claim set of claims 18-25: claims 20, 21, and 23 are each amended to add "said" before the corresponding phrase. Support for these preferential changes are provided at least by originally filed claims 18-25. For at least the reasons that the Office indicated that original claims 18-25 were allowable, pending claims 18-25 are believed to be allowable.

In terms of the allowed original claim set of claims 26-33: claims 28, 29, and 31 are each amended to add "said means for" and "means for" before the corresponding phrases. Support for these preferential changes are provided at least by originally filed claims 26-33. For at least the reasons that the Office indicated that original claims 26-33 were allowable, pending claims 26-33 are believed to be allowable.

In terms of the § 112 rejections, Applicants respectfully traverse the § 112 rejection of claims 16 and 17, as these claims do not require that the increasing and decreasing operations be performed in response to the same control signals, and the Office apparently admits that the original disclosure teaches these operations at least in FIG. 3B.

In terms of the § 102(b) rejections, Applicants respectfully traverse the rejections of the claims based on prior art, as Lauffenburger et al., US Patent 6,657,961, neither teaches nor suggests all the limitations as claim 16 requires the method to perform *both* multiplicatively increasing a current transmission rate; and exponentially decreasing an initial value of the current transmission rate in response to the received one or more flow control signals - as pointed out by the Office action in the traversed § 112 rejection, but the § 102(b) rejection fails to provide a rejection for both operations, and the prior art of record neither teaches nor suggests both operations being performed by a method.

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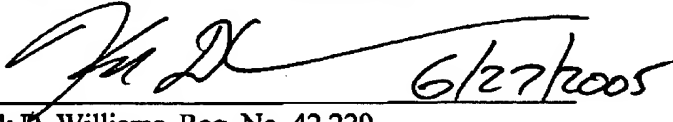
For at least these reasons, all originally filed and pending claims are believed to be allowable over the prior art of record and in conformance with all statutes and rules, as well as the MPEP. Applicants respectfully request the Office withdraw all claim objections and rejections, allow all pending claims (claims 1-8, 10-14, and 18-46), and pass the case for issuance.

FINAL REMARKS, Applicants believe that no extension of time is required. However, the Commissioner is hereby generally authorized under 37 C.F.R. § 1.136(a)(3) to treat this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 requiring an extension of time as incorporating a request therefore, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 501430 for any fee that may be due in connection with such a request for an extension of time. Moreover, the Commissioner is hereby authorized to charge payment of any fee due any under 37 C.F.R. §§ 1.16 and § 1.17 associated with this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 or credit any overpayment to Deposit Account No. 501430.

Respectfully submitted,
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By


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